

REMARKS

In accordance with the foregoing, claims 1, 12, 18 and 24 have been amended. No new matter is being presented. Therefore, claims 1-32 are pending and reconsideration is respectfully requested.

AMENDMENTS TO CLAIMS 1, 18 AND 24:

Regarding the amendments to these claims, it is noted that the amendments are being made to clarify the language and to improve the form of the claims. The amendments are not being made to overcome the prior art rejections and are not believed to substantially affect the scope of the application.

OBJECTIONS TO THE SPECIFICATION AND THE CLAIMS:

Regarding the objection to the phrase, "sum signal," it is noted that this phrase refers to the reproduction recorded information using multiple signals which are summed together. Similarly, the phrase, "differential signal," refers to the reproduction of the recorded information using a detected difference between multiple signals. As such, it is believed that the existing disclosures would be understood by one skilled in the art. Further, it is believed that claims 6, 8, 21, 23, 27 and 30 are, thus, clear and should be allowed due to their respective dependence on claims 1, 18 and 24, which are allowable, as discussed below.

OBJECTIONS TO CLAIM 12:

Regarding the objection to claim 12, it is noted that claim 12 has been amended in accordance with the comments provided in the Office Action. Therefore, it is respectfully requested that the objection be withdrawn.

REJECTIONS UNDER 35 U.S.C. §102:

Claims 1, 2, 4, 5, 7 and 11 are rejected under 35 U.S.C. §102(b) as being anticipated by Inazawa et al (U.S. Patent 8,872,755). These rejections are overcome.

Regarding the rejection of claim 1, it is noted that claim 1 recites a recordable information storage medium with respect to which a recording and/or reproducing apparatus transfers data. According to the claim the recording medium comprises a lead-in area and a lead-out area, wherein compatibility information about whether the information storage medium is compatible with a drive following a version of standards older than that of the information storage medium is recorded in at least one of the lead-in and lead-out areas and is used by the recording and/or reproducing apparatus in the transferring of the data to the information storage medium.

Inazawa, on the other hand, is directed to a recording method for particular use with a recording medium in which two discs, each having a recording surface, have been cemented together. The method includes generating an audio signal by performing a specific modulation to convert an analog audio signal with a sampling frequency set to a multiple of the standard compact disc frequency (44.1kHz), and recording the generated digital audio signal to the recording medium.

To this end, Inazawa discloses the recording of a book type and a book version of the recording medium on the recording surface of the recording medium. However, even if, *arguendo*, the book type and book version correspond to the claimed old and new versions of standards, where the claimed invention recites transferring data in accordance with the information relating to the old and new versions of standards, Inazawa fails to disclose that a similar action is undertaken with respect to the book type or book version. In fact, Inazawa merely discloses that, when the book type is [0000], the type is determined as a SD-standard read-only disc, for example, a DVD, in which case, the display 35 shows that the disc loaded in the reproducing apparatus is not for audio-use, and reproduction is not performed, and that, when the book type is [1000], the system controller 30 determines that the disc loaded in the reproducing apparatus is for audio-use, and performs reproducing operations by using the above-described reproducing system. See *Inazawa*, at column 9, lines 56-64.

Of course, that said, neither the book type nor the book version are analogous to the claimed old and new versions of standards since the old and new versions of standards refer to standards at different times in manufacturing histories of different products, while the book type and the book version merely refer to whether the disc is for audio use or not.

Thus, applicants respectfully assert that claim 1 is patentably distinguished from the reference to Inazawa and that, therefore, this rejection of claim 1 is believed to be overcome.

Regarding the rejections of claims 2, 4, 5, 7 and 11, it is noted that these claims depend

from claim 1 and that, therefore, the rejections of these claims are also overcome for at least the reasons set forth above.

REJECTIONS UNDER 35 U.S.C. §103:

Claim 3 is rejected under 35 U.S.C. §103(a) as being unpatentable over the art applied to claim 1 above, and further in view of the known --DVD-- physical specifications version 1.9, July 1998, as noted in Sasa et al. (U.S. Patent 6,628,595), claims 12-16 are rejected under 35 U.S.C. §103(a) as being unpatentable over the art applied to claim 1 above, and further in view of Okanishi (U.S. Patent 6,195,325), claim 17 is rejected under 35 U.S.C. §103(a) as being unpatentable over the art as applied to claim 12 above, and further in view of Sasa et al, claims 18, 19, 20 and 22 are rejected under 35 U.S.C. §103(a) as being unpatentable over Inazawa et al further considered with the noted July 1998 version 1.9 DVD specification noted in Sawa et al, claims 24-26 and 27 are rejected under 35 U.S.C. §103(a) as being unpatentable over Inazawa et al further considered with Sawa et al, and claims 29 and 30 are rejected under 35 U.S.C. §103(a) as being unpatentable over the art as applied to claim 24 above, and further in view of Yamagami et al (U.S. Patent 6,256,282). These rejections are overcome and traversed.

Regarding the rejections of claims 18 and 24, it is noted that these claims recite substantially similar features as claim 1 in that these claims both recite using the information in the transfer of data to the information storage medium. It is further noted that the additionally cited reference to Sawa fails to cure the defects of Inazawa at least with respect to the use of the information in the transfer of data to the information storage medium. As such, claim 18 and 24 are believed to be patentably distinguished from any combination of the references to Inazawa and Sawa and that, therefore, the rejections of these claims are believed to be overcome.

Regarding the remaining rejections, it is noted that these rejections relate to dependent claims which are believed to be allowable due at least to their respective dependence on claim 1, 18 and 24, which are each allowable as discussed above, and due to the fact that the additionally cited references fail to cure the defects of Inazawa.

ALLOWABLE SUBJECT MATTER:

Applicants appreciate that claims 9 and 10 have been found to contain allowable subject

matter but respectively assert that these claims are allowable in view of the allowability of claim 1.

CONCLUSION:

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited. If there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters. Finally, if there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 503333.

Respectfully submitted,

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